

Handbook on Unemployment Benefits

Unemployment Insurance (UI) is a state-operated program that provides temporary financial assistance to qualified workers who are unemployed through no fault of their own and meet the legal requirements of the law. Benefits are based on your past employment and attachment to the labor market rather than on your financial situation. Employers pay all costs of unemployment insurance through a tax on their payrolls or on a reimbursable basis. As a worker, you do not pay any part of your wages to finance unemployment benefits or the unemployment insurance program.

The UI program is administered by the Unemployment Insurance Division of the State Department of Labor and Industrial Relations.

Filing a Claim for Unemployment Insurance

If you are applying for unemployment insurance benefits to file a new claim, or need to reactivate your claim after you stopped filing, you can file online, use our phone service or report in-person to a local claims office.

To apply online, go to uiclaims.hawaii.gov. You must file between the hours of 6:30 am to 11:00 pm, Monday to Friday or between 9:00 am to 11:00 pm on weekends and holidays (Hawaii Standard Time). When filing online, you must print your confirmation page at the end and follow all instructions provided to you on the website after your application has been completed. You must also download and submit applicable forms as required, and read the information in the handbook.

To apply by phone in Hawaii, call Hawaii Tele-Claim at 643-5555. If you are in another State, Washington D.C., Puerto Rico, the Virgin Islands, or Canada, call 1-877-215-5793. If you are anywhere else outside of Hawaii, you will not be able to complete your call and file a claim because we have no reciprocal claim filing agreement with other countries. For more information on Hawaii Tele-Claim, refer to the "Hawaii Tele-Claim Instructions."

HAWAII TELE-CLAIM

To file a New, Additional, or Reopen Claim

Call **643-5555** from anywhere in Hawaii

or toll-free **1-877-215-5793** outside the State of Hawaii

Sunday 9:00 am to 11 pm,
Monday to Thursday 6:30 am to 11 pm,
and Friday 6:30 am to 4:30 pm, Hawaii Standard Time.
(If Friday is a holiday in Hawaii, then Thursday's hours will be from 6:30 am to 4:30 pm)
Services not available on Saturday & Holidays.

Attention: Calls to Hawaii Tele-Claim may not be connected if you are using a cellular phone in the State of Hawaii with an out-of-state phone number or if you are outside the State of Hawaii and using a cellular phone with a Hawaii number. If this situation occurs, use a landline to place your call.

Requirements for Receiving Unemployment Benefits

How can I qualify for Unemployment Insurance Benefits?

- 1) You must have been paid wages for insured work in at least two quarters in your base period.
- 2) You must have worked and been paid wages for insured work during your base period of at least 26 times your weekly benefit amount.
- 3) If you are applying for a new claim immediately after a prior claim expires, then you must also have worked after the start of your prior benefit year and been paid wages for insured work of at least five times the weekly benefit amount on your new claim.

What is the Base Period?

The standard base period is the first 4 of the last 5 completed calendar quarters at the time you file your claim for unemployment benefits. The table below shows you how to find your “base period”:

If the effective date of your claim is in this quarter:	Lag Qtr.	Your standard base period is:				
	5th Qtr	4th Qtr	3rd Qtr	2nd Qtr	1st Qtr	
January February March	Oct Nov Dec	Jul Aug Sep	Apr May Jun	Jan Feb Mar	Oct Nov Dec	
April May June	Jan Feb Mar	Oct Nov Dec	Jul Aug Sep	Apr May Jun	Jan Feb Mar	
July August September	Apr May Jun	Jan Feb Mar	Oct Nov Dec	Jul Aug Sep	Apr May Jun	
October November December	Jul Aug Sep	Apr May Jun	Jan Feb Mar	Oct Nov Dec	Jul Aug Sep	

Current year	
Prior year	
Year before prior year	

Example:

Date UI claim filed: 4/2/12

Base period: 1/1/11 to 12/31/12 (first 4 of the last 5 quarters)

Note: If you do not qualify using the standard base period, an alternate base period consisting of the last 4 completed quarters can be used instead.

Your Monetary Determination

Your application for benefits and the wage records of your employer(s) will be used to make an “Unemployment Determination of Insured Status” (also called a monetary determination) showing the following information:

- The wages you were paid by each employer in each of the 4 calendar quarters of your base period, and the total wages paid to you during the base period.

- The beginning and ending dates of your benefit year. A benefit year starts from the week in which you filed your new claim and continues for 52 weeks. Your claim is good for one year, however, you are only eligible for 26 weeks of benefits in your benefit year. (See maximum benefit amount.) Note: For partial claims, the start date may be backdated up to 4 weeks before the date on which you filed your claim.
- Your weekly benefit amount (WBA) is calculated by dividing your high quarter wages by 21. (Once your WBA is calculated for a benefit year, it does not change and is not recomputed even if you returned to work and reactivate your claim.) There is a maximum weekly benefit amount set for each calendar year which can be accessed at <http://hawaii.gov/labor/ui/ui-quick-facts/tax-rates-and-weekly-benefit-amt>.
- Your maximum benefit amount (MBA) which is the total amount of benefits that you can be paid on your claim during your benefit year is 26 times your weekly benefit amount. Note: This amounts to 6 months of benefits if you are totally unemployed and filing continuously.

If your claim is invalid, the monetary determination will explain why. If the wages shown are incorrect, report to your local claims office as soon as possible with proof of earnings, such as Form W-2, pay slips, etc., and request a reconsideration of your monetary determination.

Am I Eligible for Unemployment Insurance Benefits?

In addition to a valid claim, you must also meet other conditions before you can be paid unemployment compensation benefits:

- 1) **Must be Unemployed.** You are totally unemployed if you are separated from a regular job, perform no work, and no wages are payable to you. However, you may also be eligible for benefits if you work part-time, or work less than your full-time hours, and earn less than your weekly benefit amount. (See sections on Partial Claims and Part-Total Claims.) You are considered not unemployed if you work full-time hours or receive Temporary Disability Insurance benefits.
- 2) **File an Application for Unemployment Insurance Benefits.** Your claim will be effective only from the week you apply.
- 3) **File Claim Certifications.** You must file timely claim certifications for each week that you are unemployed and for which you wish to receive unemployment benefits. See section on Filing Weekly or Bi-Weekly Claim Certifications.
- 4) **Register for Work with the State Workforce Development Division (WDD).** You must be registered with WDD within 7 calendar days after the date you applied for unemployment benefits and you must post an online resume in HireNet Hawaii, WDD's internet job matching system at <http://www.hirenethawaii.com/>. You must also keep your resume active by reviewing and updating your resume throughout your period of unemployment. Failure to follow this requirement may result in a denial of benefits. You must also report to or contact the WDD office when instructed.

If you are a member in good standing of a labor union with a hiring hall, or are still attached to a regular employer and working less than full-time hours, then your WDD registration may be waived. You will have your union complete Part B of Form UC226, Verification of Registration for Work, and submit it to your local claims office. You can access Form UC226 at <http://hawaii.gov/labor/ui/ui-quick-facts/forms>. If you are no longer in good standing, you must register for work in HireNet Hawaii.

- 5) **Participate in Reemployment Services (Worker Profiling).** You may be selected for referral to WDD or other service provider for orientation, assessment, job placement assistance, and other similar services. If referred, you must participate as directed.

- 6) **Able to Work.** You must be physically and mentally able to work. If you are disabled and cannot perform the usual duties of your customary occupation, you may still be considered to be able to work if:
- a) You are reasonably fitted for other work that you can still perform, and
 - b) You are willing to accept such other work, and
 - c) Such work exists in your labor market area.

- 7) **Medical Waiver Provision.** If you are on active claim status and become physically or mentally unable to work while collecting unemployment, you may still be eligible for benefits if you qualify for a medical waiver under the following conditions:
- a) Your illness or disability is certified by a doctor, and
 - b) You do not refuse work (because of your illness or disability) that is in your customary occupation or which would have been suitable for you prior to the onset of your disability, and
 - c) You are registered for work prior to the onset of the illness or disability, or the registration for work requirement was waived, and
 - d) You filed a new, additional, or reopen claim before the beginning of the illness or disability.

You must continue to file your claim certifications. If you cannot do so, contact your local claims office for further instructions. If you cannot qualify for the medical waiver and are denied benefits, you may qualify for Temporary Disability Insurance. Contact the Disability Compensation Division of the State Department of Labor and Industrial Relations for more information.

- 8) **Available for Work.** You must be ready and willing to seek and accept work that you are reasonably fitted for by training or experience without any undue restrictions.

You must have definite arrangements for the care of family members you are responsible for, have adequate transportation, etc., so that you can start working when offered a job. You must notify your local claims office of any changes in your availability for work such as loss of childcare, going to school, taking a trip, illness, etc.

If you are not willing to accept the wages, hours, or working conditions that are prevailing or customary for your occupation, or you will not work in the area where there is a reasonable demand for your services, you may be denied benefits for being too restrictive and eliminating a major portion of the labor market. The longer you are unemployed, the more you will be expected to lower your wage demands, increase your work search efforts, and accept alternative employment to increase your chances of finding work.

You are required to make 3 job contacts or more every week. You should do all you can to find a job by applying for work in-person, answering help wanted ads, submitting resumes and applications with personnel offices, checking job listings regularly at the State Workforce Development Division or in HireNet Hawaii, taking civil service examinations for government jobs, attending job fairs, and using any other method that a person in your occupation normally uses to find employment.

You are also required to keep a record of all your job contacts on Form UC-253, Record of Contacts Made for Work, to submit when requested. Go to <http://hawaii.gov/labor/ui/ui-quick-facts/forms> to download Form UC253.

Members of an approved referring union must report to the union when unemployed, comply with all union reporting requirements, and notify the local claims office if you are not able or willing to comply with union requirements, refuse work referrals, or are no longer paying your dues or not in good standing with the union.

- 9) **Serve a Waiting Period Week.** All claimants must serve a mandatory one-week waiting period on a new claim. The waiting period is the first week of unemployment on your claim in which you

meet all of the eligibility requirements and are not disqualified. You must file for the waiting period week even though no benefits will be paid to you.

- 10) **Report for Required Interviews.** You must continue to report to your local claims office for interviews as required by the department. See section on Interviews.
- 11) **Educational Employee.** Benefits based on services performed as an educational employee for an educational institution will not be paid between two academic years or terms, or during a vacation/holiday recess period, or during a period of paid sabbatical leave provided for in your contract, if you have a contract or reasonable assurance of re-employment in the next year or term, or after the vacation/holiday recess period.
- 12) **Professional Athlete.** Benefits based on services which consist of participating, preparing or training to participate in sports or athletic events will not be paid between successive sports seasons if you have a reasonable assurance of performing such services in the next season.
- 13) **Illegal Alien.** Benefits will not be paid based on services performed as an illegal alien.

Disqualifications

Even though you meet the eligibility requirements, you may be disqualified from receiving benefits for the reasons below. If you are disqualified, you will receive a written notice in the mail called a "Notice of Decision on Unemployment Insurance Claim."

- 1) **Voluntary Quit without Good Cause.** A "voluntary quit" occurs when you initiate your job separation and, therefore, have the burden of proof to present sufficient facts to show good cause for leaving work. "Good cause" means that there is a real, substantial, or compelling reason, or a reason that would cause a reasonable and prudent worker, genuinely and sincerely desirous of maintaining employment, to take similar action. Such a worker is expected to try reasonable alternatives before terminating the employment relationship.
 - Disqualification is until you have been paid wages in covered employment of five times your weekly benefit amount after the week in which you separated from work.
- 2) **Discharge or Suspension for Misconduct Connected with Work.** In a discharge or suspension, the employer is the moving party and therefore has the burden of proof to show that your actions or omissions should be considered misconduct connected with your work. To be considered misconduct, there must be a deliberate violation or disregard of the duties, responsibilities, or standards of behavior that an employer has a right to expect from an employee, or carelessness or negligence of such seriousness or repetition as to show wrongful intent or evil design.
 - Disqualification is until you have been paid wages in covered employment of five times your weekly benefit amount after the week in which you separated from work.
 - For a suspension, you will be disqualified from one to four weeks immediately following the week of suspension.
- 3) **Failure to Accept Suitable Work without Good Cause.** Failure to accept suitable work includes the refusal of a job offer from an employer, or the failure to report to work after accepting a job offer, or the failure to accept a referral from the Workforce Development Division. Whether the work is suitable depends on your prior work experience, skills, prior earnings, prospects for reemployment, and the degree of risk to your health, safety, or morals. You must report all refusal of work or referral to your local claims office.
 - Disqualification is until you have been paid wages of five times your weekly benefit amount after your failure to accept suitable work.
- 4) **Not Able and/or Not Available for Work.** If you are physically not able to work and the medical waiver does not apply or not available for work, you are not entitled to receive benefits until these

conditions no longer exist. Ineligibility may result from illness, disability, restrictions on wages, hours, and days of work, failure to make an active search for work, etc. If you are attached to an employer (partial or part-total claims), you may be denied benefits if you decline to accept all work offered by your employer.

- 5) **Labor Dispute.** If you are not working because of a work stoppage due to a labor dispute and you are directly interested in or participating in that dispute, you will not receive benefits for the duration of the work stoppage.
- 6) **Other Unemployment Benefits.** If you are receiving or applied for unemployment under another state or federal law, you are not entitled to receive unemployment benefits from Hawaii.
- 7) **Fraud.** You will be disqualified for benefits beginning with the week in which the determination of fraud is made and for the next 24 months if you knowingly make a false statement or withhold material facts for the purpose of obtaining benefits. In addition to the two-year disqualification, you must repay all unemployment benefits you were overpaid.

The law requires that you inform us of anything that affects your eligibility for benefits. Depending on the seriousness of the offense, your case may be referred for **CRIMINAL PROSECUTION**. If convicted, you can be fined up to \$10,000 or imprisoned up to 5 years, or both.

- 8) **Pension and Retirement Pay.** Retirement income from a pension plan that was financed 100% by a base period employer is deductible from your weekly benefit amount. Retirement income is NOT deductible if you contributed any amount to the pension plan such as social security. You must report all sources of income to your local claims office and a determination will be made as to whether the amount is deductible.
- 9) **Deductible Income.** Income such as wages, commissions, bonuses, vacation pay, holiday pay, back pay, and residual pay are deductible from your weekly benefit amount and must be reported when you file your claim certifications. You must report employment and earnings when you start, not after you get paid. Union vacation pay is deductible when paid by the employer to the union trust fund and must be reported.

Appeal Rights

If you are denied benefits and disagree with the "Notice of Decision on Unemployment Insurance Claim", you may request a reconsideration of the decision or file an appeal to the Employment Security Appeals Referees Office (ESARO).

Your request for reconsideration or appeal must be in writing and filed within ten (10) **calendar** days after the determination or redetermination was mailed to you. The ESARO may extend the period for filing an appeal to 30 calendar days if you have good cause for the late filing.

You can file your appeal on a form available from your local claims office or write your own letter of appeal. Mail or deliver it to your local claims office or submit your letter of appeal along with a copy of the Notice of Decision on Unemployment Insurance Claim directly to ESARO using the address listed in this handbook. Contact your local claims office if you need assistance.

IMPORTANT. If you file an appeal or request for reconsideration, you must continue to file timely claim certifications for each week for which you wish to receive benefits. Otherwise, if you win your appeal or court case, no benefits will be paid for past weeks for which you did not certify, or which were filed late without good cause.

Your former employer may also protest your claim and file an appeal. If the determination being appealed allowed benefits, then you will continue to be paid benefits while the appeal is pending. However, if the decision to pay benefits is subsequently reversed by the appeals office or a court of law, and you are disqualified or found to be ineligible for benefits, you may be held liable to repay the benefits that you received.

Interviews

Whenever possible, information will be obtained by telephone if there is an issue regarding your claim. If a telephone message is left for you to provide more information on an issue on your claim and you do not respond as directed, then a decision will be made based on available information. Your failure to respond may affect payment of your benefits.

You may be requested to report for in-person interviews. If you do not report as directed, a decision will be made based on available information, and your failure to report may affect payment of your benefits.

Eligibility Review Interview (ERI) and Reemployment and Eligibility Assessment (REA).

Periodically, you may be scheduled for an ERI or a REA to assist you in your job search efforts, review your availability for work, and to determine your eligibility for future benefits. If scheduled, you will be notified of the date, time, and place to report for your interview. Failure to report as scheduled may affect your benefits.

Quality Control Interview. Hawaii participates in a national quality control program in which claims are randomly selected each week for intensive review. If your claim is selected, you will be scheduled for an interview to provide information regarding your current and past eligibility status. The interviewer will review the wages used to establish your claims and all determinations made on your claim, verify the reason you are unemployed, and personally verify your job contacts.

Filing Weekly or Bi-Weekly Claim Certifications

How do I file my Weekly or Bi-Weekly Claim Certifications?

You can file your weekly or bi-weekly claim certifications online or by phone.

To file online, go to uiclaims.hawaii.gov.

To file by phone call Hawaii Tele-Claim. For more information on telephone filing, refer to the "Hawaii Tele-Claim Instructions".

Weekly or Bi-Weekly Claim Certifications

From anywhere in Hawaii, call **643-2222**
or from outside the State of Hawaii, call toll-free **1-877-215-5791**

Monday to Friday, 6:30 am to 11 pm, (Hawaii Standard Time)

Weekends & Holidays 9:00 am to 11 pm.

If you are hearing-impaired, call your Telecommunications Relay Service
and ask the assistant to call 643-2222.

Unless otherwise specified, a "week" means a calendar week that starts on Sunday and ends on Saturday. A week claimed is referred to by the date on which it ends. (Example: The week that ends on Saturday, January 7th is referred to as the weekending January 7.)

What Weekending Date(s) do I file for?

After you file a new claim or reactivate your claim, you need to file a claim certification each week for the first two weeks (see **Weekly Filing**). After the first two weeks, you should file claim certifications every two weeks (see **Bi-Weekly Filing**).

When you file your new, additional, or reopen claim, a customer service representative will advise you what week(s) you should file for next and when you should file. Also, whenever you file a claim certification, you will receive a benefit check or claim certification form in the mail. Refer to the third part of the claim certification form to see what week(s) you should file for and the filing period to be considered timely. If you file online or by phone, do not submit this form to the local claims office.

Note: If you are filing a Total or Part-Total claim and stop filing claim certifications for two or more consecutive weeks, you must reactivate your claim. If you fail to reactivate your claim, you may be denied benefits for weeks claimed that are prior to the effective date of your additional or reopen claim. (See section on Additional Claim and Reopen Claim).

Weekly Filing. If you are filing a weekly claim, you should be filing for the previous week that started on Sunday and ended on Saturday.

In Example A, if the month is January and the week you are filing for ended on the 7th (the week began on the 1st), then you need to file the claim within the 7 day period shown in gray. If you file your claim certification *more than 7 days* after the weekending date, you may be denied benefits for late filing.

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14

Example A - Weekly Filing:

Period filing for: week ending 1/7
When to file: between 1/8 and 1/14 (shown in gray)

Bi-Weekly Filing (filing for 2 weeks at a time). If you are filing a bi-weekly claim, you should be filing for the prior two weeks that started on Sunday and ends two weeks later on Saturday.

In Example B, if the month is January and the two weeks you are filing for are the weekending January 21st and the weekending January 28th (the two week period that starts on Sunday January 15th and ends on Saturday January 28th), then you should file for that bi-weekly period during the 7-day period (shown in gray) immediately after the end of the second week. If you file your claim certification *more than 7 days after the bi-weekly period*, you may be denied benefits for late filing.

Sun	Mon	Tue	Wed	Thu	Fri	Sat
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4

Example B - Bi-Weekly Filing:
Periods filing for: weeks ending 1/21 and 1/28
When to file: between 1/29 and 2/4 (shown in gray).

IMPORTANT: When you use the Hawaii Tele-Claims service to file for a bi-weekly period, you must file for each week separately. You should start with the first week, answer all questions relating to the first week, and file that week. After you file for the first week, the system will ask if you wish to file for a second week. Press 1 for 'yes' to begin filing for the second week. Next, you should file for the second week by answering all questions relating to the second week, and then file a claim for that week. **You must file for both the first week and the second week to receive credit for 2 weeks.**

How soon can I expect my First Check?

If you meet all eligibility requirements and are not disqualified, you will usually receive your first check in about three weeks after you file your new claim.

Week	Action
1 st Week	File your new claim.
2 nd Week	File your claim certification for the 1 st week. (No benefits paid for 1 st week since it is your waiting period week.)
3 rd Week	File claim certification for 2 nd week. Receive check for the 2 nd week.

If there are any questions regarding your eligibility or job separation, benefits may be delayed pending fact-finding investigation or denied because of ineligibility or disqualification.

Courtesy Claim

If you leave Hawaii temporarily, call toll-free 1-877-215-5791 to file from outside Hawaii. You may be able to file a "courtesy claim" for two consecutive weeks.

If you are relocating or will be staying for more than two consecutive weeks, you will need to transfer your claim. See section on Liable Interstate Benefits.

Returning to Work and Reopening your Claim

If you go back to work, you can report your employment when you file your claim certification via the Hawaii Tele-Claim service. Any and all employment must be reported when claim certifications are filed. (If filing by mail, you should report back-to-work information on your claim form.)

If you earn less than your weekly benefit amount and work less than full-time hours during the week that you return to work, you can receive the difference between your weekly benefit amount and your gross earnings over \$150.

If you file a claim certification for the week that you return to work, be sure to report that you are working and your **gross earnings** (the amount before any deductions) for that week even though you have not yet been paid. If you do not report your employment and gross earnings, and are paid unemployment benefits that you are not entitled to receive, you can be disqualified and prosecuted for fraud.

If you return to work and subsequently become unemployed again and wish to receive unemployment insurance benefits, you will need to reactivate your claim. See section on Additional Claim and Reopen Claim.

Additional Claim and Reopen Claim

If you filed a claim for unemployment insurance benefits, return to work full-time or part-time, and become separated from employment, you must file an **additional claim** to reestablish your eligibility for benefits. You must also file an additional claim if you have a Part-Total Claim or a Partial Claim and become separated from that employer. If you stop filing for benefits for two or more consecutive weeks because of illness, disqualification, unavailability, or any other reason besides employment, you must file a **reopen claim**.

Go online or call Hawaii Tele-Claim to file your additional or reopen claim. Do not delay filing your additional or reopen claim, as it is effective only from the week in which it is filed. Weeks prior to the effective date of your additional or reopen claim may be denied.

Partial Claims

If you were still attached to your regular employer, worked less than your full time hours, and earned less than your weekly benefit amount during a week, then you may be eligible to file an initial claim for partial benefits, which can be backdated 28 calendar days to a week of less than full-time employment.

To qualify for partial benefits for a week, you must have accepted all work offered by the employer, file a claim certification for that week within 28 calendar days from the weekending date, and have your employment status, earnings, and acceptance of all work offered verified by the employer. A "Weekly Report of Low Earnings" must also be completed by the employer and submitted before you can be paid for a week of partial unemployment. When you file an initial claim for partial unemployment, a supply of low earnings report forms will be provided to you. If necessary, additional forms can be obtained from your local unemployment office.

You will also need to have your employer complete [Form UC-348 Verification of Partial Unemployment Status](#). If you do not have a definite return to work date or your employer is not maintaining your medical insurance plan or sick leave or vacation credits, you may be considered to be totally unemployed and will be required to register for work with the Workforce Development Division and make an active search for work. If you expect to obtain work through your union, you will need to register for work and verify that you are a member in good standing. If your regular employer terminates your employment, file an additional claim immediately. See section on Additional Claim and Reopen Claim.

Part-Total Claims

If you are working part-time on a regular basis while seeking full-time employment, you must file your claim certifications within 7 calendar days after the weekending date of your weekly claim, or after the second weekending date of your bi-weekly claim.

You must report your gross earnings from your part-time job for each week that you claim even if you have not yet been paid. A "Weekly Report of Low Earnings" to verify your earnings and acceptance of all work offered must be completed by your employer for each week that you file and submitted to your local claims office before payment can be made.

Any casual employment, such as yard work, must also be reported and the gross earnings deducted from the week in which you worked. These earnings do not need to be verified with a low earnings report.

Payment of Benefits

Is Earnings Deductible from my Weekly Benefit Amount?

You may still receive unemployment benefits for a week if your gross earnings are less than your weekly benefit amount, you did not work full-time hours, and you meet all eligibility requirements and are not disqualified. You are responsible for correctly reporting your gross earnings (before taxes are deducted) when filing claim certifications.

The amount of benefits payable equals the difference between your weekly benefit amount and your gross earnings, plus \$150.

If you reported earnings but receive an unemployment check for your full weekly benefit amount, **do not cash the check!** Instead, contact your local claims office immediately for instructions.

Are my Unemployment Insurance Benefits Taxable?

Any unemployment compensation you receive is taxable income and it is your responsibility to determine the amount of your tax liability and to pay the amount due on your annual income tax returns.

You may elect to have taxes withheld from unemployment insurance benefits payable to you in the amount of 10% of your weekly benefit amount for federal taxes and 5% of your weekly benefit amount for Hawaii state taxes. If you elect withholding, you are permitted only one change during your benefit year to stop withholding of your federal and/or state income taxes. If you do not elect withholding, you may have to make estimated tax payments.

For tax purposes, you will be furnished with a statement, Form 1099-G, at the end of January, reporting benefits paid to you from the Hawaii Unemployment Insurance Division, and any federal or Hawaii state income taxes withheld. **Make sure that the Unemployment Insurance Division has your most current mailing address to receive your Form 1099-G.**

The total amount of benefits reflected on Form 1099G has not been reduced by any repayment that you may have made for overpaid benefits. Therefore, if you repaid benefits to the UI Division, you must save your record of payments, such as receipts, canceled checks, and/or billing statements to make adjustments in your taxable income and to provide verifiable documentation for the Internal Revenue Service or the State Tax Office when you file your tax returns. If you do not have your receipts, request assistance from your local claims office.

Address tax questions to the Internal Revenue Service for federal tax information, and to the Department of Taxation, Taxpayer Services Branch, for Hawaii state tax information.

Child Support Deductions

The Child Support Enforcement Agency (CSEA) is responsible for collecting child support obligations from unemployment insurance benefits. The amount withheld is determined by an agreement between CSEA and the affected parent, or by court action.

If you have any questions regarding the deductions made to your check or wish to make arrangements to take advantage of this program, please contact the CSEA directly at:

Oahu.....692-8265
Neighbor Island and Out-of-State (toll-free) 1-888-317-9081

Liabe Interstate Benefits

If you move to another state, the District of Columbia, Puerto Rico, Canada, or the Virgin Islands, you may still receive benefits from Hawaii, provided you meet Hawaii's eligibility requirements. To file your claim against Hawaii, call the Hawaii Tele-Claim Service. (See section on Filing a Claim for Unemployment Insurance.)

When you establish a claim against Hawaii while residing out-of-state, the state you are filing from is called the "agent state," since it acts as the agent for Hawaii in processing your claim. Hawaii is your "liable state," and will make all determinations and payments on your claim. In most cases you should deal directly with Hawaii's Liabe Interstate Unit, which you can contact by phone or in writing for assistance on your claim.

If you have any questions regarding your interstate claim or need assistance, contact:

Hawaii Liabe Interstate Unit
PO Box 4090
Honolulu, HI 96812-4090
Phone: (808) 586-8960
Fax: (808) 586-8980
Email: dliir.ui.honolulu@hawaii.gov

Your responsibilities as an Interstate Claimant:

- Report any changes in your name, address, phone number, etc. immediately.
- If you are instructed to report to, or contact, the agent state employment service or local office where you are residing, follow the specific instructions provided by that office. Your failure to comply with such directions may affect your receipt of benefits.
- Keep an accurate record of your work search by listing your job contacts on Form UC-253, Record of Contacts Made for Work,
- Keep a record of the benefit checks that you receive from Hawaii in case you need to inquire regarding any missing checks. Contact the Hawaii Interstate Liabe Unit directly if you did not receive a check that you were expecting.
- If you are self-employed, or employed on a commission basis, and made no earnings during a week for which you are claiming benefits, you must still report the number of hours that you worked during that week.
- If you stopped filing claim certifications for two or more consecutive weeks for reasons other than employment (such as taking a trip) and wish to claim benefits again, go online or call the Hawaii Tele-Claim Service to reactivate your claim. (See the sections on Filing a Claim for Unemployment Insurance, and Additional Claim and Reopen Claim.)
- If you return to work, be sure to report that information when you file your claim certification for that week. Also be sure to report your gross earnings (including any tips, room and board) for that week even if you have not yet been paid.
- If you return to work, are subsequently terminated, and wish to claim benefits again, go online or call the Hawaii Tele-Claim service as soon as possible to reactivate your claim.

Combined Wage Claims

If you worked in Hawaii and another state(s) during the 18 months before you file your initial claim, you might be able to combine your out-of-state wages to qualify for a valid claim, or to increase your weekly benefit amount. When you file your claim, the customer service representative will explain your options for combining your wages.

Federal Unemployment Benefits

Unemployment Compensation for Federal Employees (UCFE)

If you worked as a civilian employee for the federal government, you may receive unemployment compensation based on your federal wages. Be sure to have **Standard Form 8** and **Standard Form 50** personnel action forms with you when you file your claim; however do not delay filing your claim if you cannot locate those documents as your claim will start only from the week in which you file your claim.

The customer service representative will advise you on how to file a UCFE claim and determine the state to which your federal wages will be assigned. If your federal wages are assigned to Hawaii, your eligibility will be determined under Hawaii Law and you must comply with all of our requirements to receive benefits. If your claim is filed against another state then your eligibility will be determined under that other state's laws.

Lump sum payment for unused civil service leave and/or severance pay will not delay payment on your claim. You can receive benefits during the period covered by these types of payments.

Unemployment Compensation for Ex-Servicemembers (UCX)

If you are an ex-servicemember, you may be eligible for unemployment benefits:

- 1) If your discharge or release was "Honorable" or "Under Honorable Conditions (General)", (or if you were an officer, you did not resign for the good of the service), and
- 2) You completed your first full term of active service that you initially agreed to serve.

If you were discharged or released before completing your first full term of active service, your military service and wages may still be usable if your discharge or release was:

- For the convenience of the government under an early release program, or
- Because of medical disqualification, pregnancy, parenthood, or any service-incurred injury or disability, or
- Because of hardship, or
- Because of personality disorders or inaptitude but only if the service was continuous for 365 days or more.

If you were a National guard/reservist who performed active duty for a continuous period of 90 days or more, your service and wages could be used to establish a claim.

Be sure you have your **Member 4, Form DD-214 Report of Transfer or Discharge**, when you file your claim for benefits. If you do not have your DD-214, a copy can be obtained from the National Personnel Records Center at www.archives.gov/research_room/index.html.

Regardless of where you were stationed while in the military, you can choose to file your claim in any state provided you are in that state at the time of filing. If you are in Hawaii and file your initial claim in Hawaii, your benefits will be paid by Hawaii.

Your weekly benefit amount will be based on your pay grade at the time of discharge. Wages and accrued leave pay for the quarter following the base period (i.e., the lag quarter), may be used for establishing a later claim.

Extended Benefits (EB)

The Hawaii Employment Security Law provides for the payment of extended benefits to Hawaii claimants who have exhausted their regular benefits during periods of high unemployment. The Director of the Department of Labor and Industrial Relations will publicly announce the beginning and ending dates of the EB period. Extended benefits can only be paid during an EB period.

Discrimination

It is the policy of the Unemployment Insurance Division to provide fair and equal treatment to all claimants without regard to race, color, religion, sex, sexual orientation, age, national origin, ancestry, disability, marital status, or arrest/court record. If you feel that you have not been treated equitably, please contact the local claims office manager.

If your job separation was due to discrimination on the basis of race, color, religion, sex, sexual orientation, age, national origin, ancestry, disability, marital status, or arrest/court record, you may file a complaint with the Hawaii Civil Rights Commission in addition to filing your unemployment insurance claim. Although the UI Division investigates the circumstances and reasons for your job separation, we are not authorized to enforce the State's discrimination laws.

If you are denied benefits and the department's decision is affirmed by the appeals office, continue to file your claim certifications if your complaint with the Hawaii Civil Rights Commission is still pending. Notify the local claims office if the Commission subsequently makes a determination in your favor.

Disclosure of Information

All information we obtain to determine your eligibility for benefits is confidential, except where disclosure is authorized by department regulations, as follows:

- 1) To any federal or state agency charged with the administration of an unemployment compensation law or the maintenance of a system of public employment offices and to the Social Security Administration to verify your social security number.
- 2) To the federal Internal Revenue Service.
- 3) To any federal, state, or municipal agency charged with the administration of a fair employment practice or anti-discrimination law.
- 4) To any other federal, state, or municipal agency if the director deems that disclosure to that agency serves the public interest.
- 5) If you need information from your files, send a written request to the department with the following information:
 - a) Your name
 - b) Your address
 - c) Your social security number
 - d) To whom you want the information released if other than yourself
 - e) Your reason for requesting the information
 - f) Your signature

Or you can call your local claims office for instructions on obtaining information from our records.

Employment and Training Services Available to Dislocated Workers

Under the Workforce Investment Act (WIA), comprehensive employment and training services are available to help workers cope with the trauma of layoff and to assist them with their efforts to become reemployed. These services include:

- 1) Retraining services to improve worker skills and retrain workers for new careers such as:
 - a) On the job training
 - b) Classroom training (basic - vocational)
- 2) Other services to help a worker make the transition to a new job such as:

- a) Vocational counseling
- b) Testing
- c) Job placement
- d) Support services

Please contact one of the Workforce Development Division (WDD) offices listed in this handbook for more information.

Workforce Development Division (WDD) Offices and One-Stop Centers

<http://hawaii.gov/labor/wdd>

Honolulu Office, 830 Punchbowl St, Rm 112, Honolulu, HI 96813-5080,

Ph: (808) 586-8700

Dillingham Shopping Plaza, 1505 Dillingham Blvd, Rm 110, Honolulu, HI 96817-4822,

Ph: (808) 843-0733 ext. 225

Waipahu Civic Center, 94-275 Mokuola St, Rm 300, Waipahu, HI 96797-3369,

Ph: (808) 675-0010

Kapolei Civic Center, 601 Kamokila Blvd, Rm 588, Kapolei, HI 96707-2023,

Ph: (808) 692-7630

Waianae Neighborhood Center, 85-670 Farrington Hwy, Rm 6, Waianae, HI 96792-2407,

Ph: (808) 696-7067

Kaneohe Office, 46-005 Kawa St, Ste 205, Kaneohe, HI 96744,

Ph: (808) 233-3700

Waialua Sugar Mill, 67-106 Kealohanui St, Waialua, HI 96791,

Ph: (808) 637-6508

Hauula Civic Center, 54-010 Kukuna St, Hauula, HI 96717

Ph: (808) 293-2626

Hilo One-Stop Center, 1990 Kinoole St, Rm 102, Hilo, HI 96720-5293,

Ph: (808) 981-2860, Fax: (808) 981-2880

Kailua-Kona One-Stop Center, 74-5565 Luhia St, Ste C4, Kailua-Kona, HI , 96740-3124,

Ph: (808) 327-4770

Maui One-Stop Career Resource Center, 2064 Wells St, Rm 108, Wailuku, HI 96793-2251,

Ph: (808) 984-2091

Molokai WDD, 55 Makaena Pl, Rm 4, PO Box 929, Kaunakakai, HI 96748-0929,

Ph: (808) 553-1755

Kauai Workwise!, 3-3100 Kuhio Hwy, Rm C9, Lihue, HI 96766-1153,

Ph: (808) 274-3056

Unemployment Insurance Claims Offices

<http://hawaii.gov/labor/ui>

Honolulu Claims Office, 830 Punchbowl St, Rm 110, PO Box 4090, Honolulu, HI 96812-4090,

Ph: (808) 586-8970 or 586-8971, Fax: (808) 586-8980

Email: dlir.ui.honolulu@hawaii.gov

Kaneohe Claims Office, 46-005 Kawa St, Ste 205, Kaneohe, HI 96744,

Ph: (808) 233-3679, Fax: (808) 586-8980

Email: dlir.ui.honolulu@hawaii.gov

Waipahu Claims Office, 94-275 Mokuola St, Rm 301, Waipahu, HI 96797-3369,

Ph: (808) 675-0030, Fax: (808) 675-0025

Email: dlir.ui.waipahu@hawaii.gov

Hilo Claims Office, 1990 Kinoole St, Rm 101, Hilo, HI 96720-5293,

Ph: (808) 974-4086, Fax: (808) 974-4085

Email: dlir.ui.hilo@hawaii.gov

Kona Claims Office, Ashikawa Building, 81-990 Halekii St, Rm 2090, PO Box 167, Kealahou, HI 96750-0167,

Ph: (808) 322-4822, Fax: (808) 322-4828

Email: dlir.ui.kona@hawaii.gov

Maui Claims Office, 54 South High St, Rm 201, Wailuku, HI 96793-2198,

Ph: (808) 984-8400, Fax: (808) 984-8444

Email: dlir.ui.maui@hawaii.gov

Molokai Claims Office, 55 Makaena St, Rm 4, PO Box 1858, Kaunakakai, HI 96748-1858,

Ph: (808) 553-1750, Fax: (808) 553-1753

Email: dlir.ui.maui@hawaii.gov

Kauai Claims Office, 3-3100 Kuhio Hwy, Rm C12, Lihue, HI 96766-1153,

Ph: (808) 274-3043, Fax: (808) 274-3046

Email: dlir.ui.kauai@hawaii.gov

Liable Interstate Unit, PO Box 4090, Honolulu, HI 96812-4090,

Ph: (808) 586-8960, Fax: (808) 586-8980

Email: dlir.ui.honolulu@hawaii.gov

Employment Security Appeals Referees Office

830 Punchbowl St, Rm 429, Honolulu, HI 96813-5080

Ph: (808) 586-8930, Fax: (808) 586-8944

Email: dlir.esaro@hawaii.gov